

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 12-0515-3063

ELECTIONS: UNIT X-48  
(herein Subject Drilling Unit)

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 26, 2012, which was recorded at Deed Book 1121, Page 583 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on October 5, 2012, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit X-48;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 25 day of March, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 25 day of March, 2013 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 25<sup>th</sup> day of March, 2013, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Diane J. Davis, Notary Public  
174394



My Commission expires: September 30, 2013





VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit X-48  
VGOB 12-0515-3063 in the Maiden Springs District of Tazewell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,  
ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 26, 2012, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on October 5, 2012;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 26, 2012;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

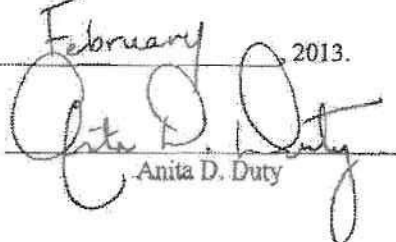
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE


That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 13<sup>th</sup> day of February, 2013.

  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 13<sup>th</sup> day of February, 2013.

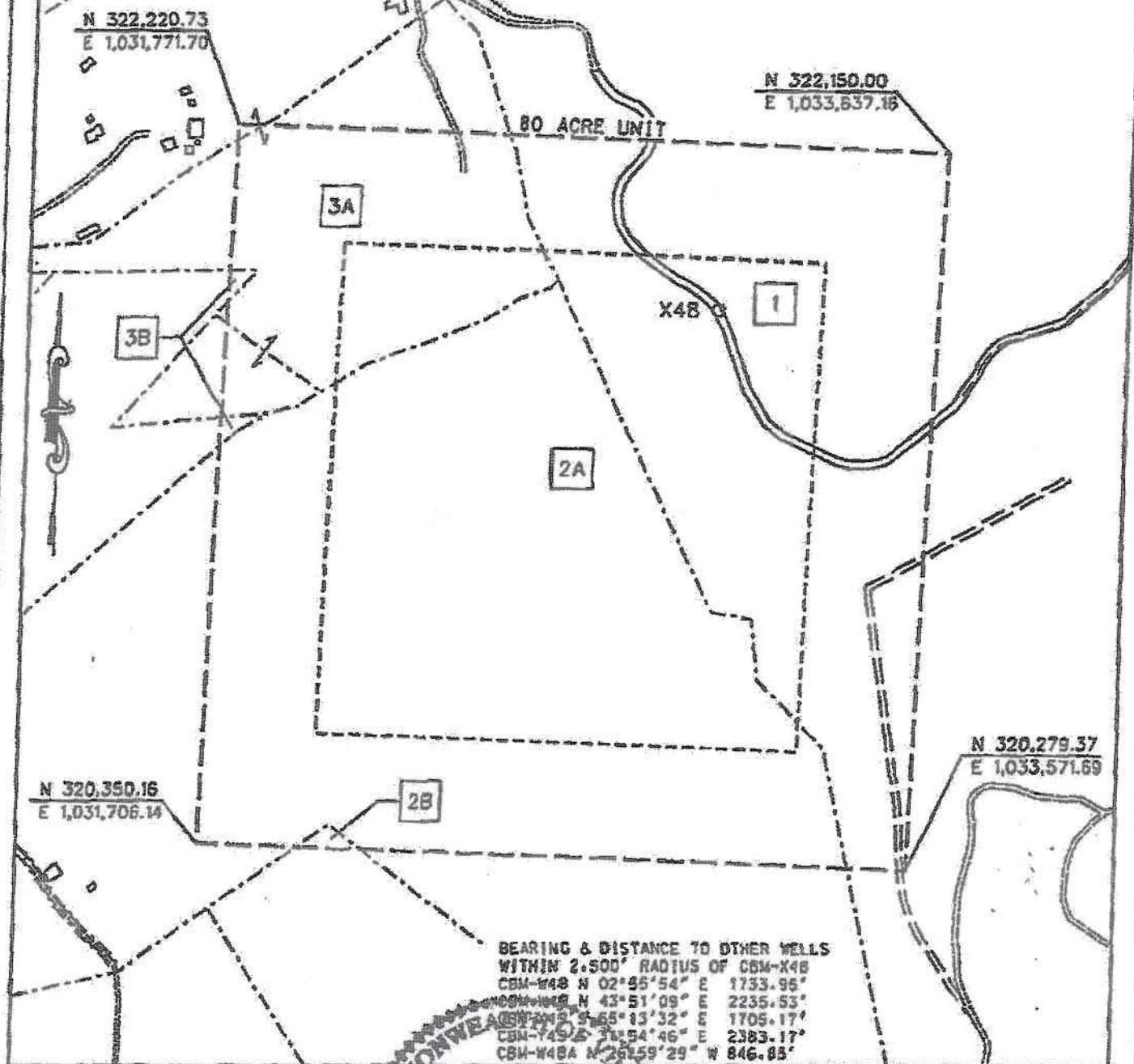
  
Notary

My commission expires: April 9, 2023





Property lines shown on this plat were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



- CBM WELL
- ⊙ PROPOSED NEARBY WELL
- ⊕ PROPOSED CBM WELL

*Richard C. Murphy*  
RICHARD C. MURPHY  
Lic. No. 041898  
04-10-12

EXHIBIT A  
DAKWOOD FIELD  
UNIT X48  
FORCE POOLING  
VGOB-12-0515-3063

Company CNX Gas Company LLC Well Name and Number UNIT X48  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle JEWELL RIDGE  
County TAZEWELL District MAIDEN SPRINGS Scale: 1" = 400' Date \_\_\_\_\_  
This plat is a new plat X : an updated plat \_\_\_\_\_ : or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

*Richard C. Murphy*  
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

## CNX Gas Company LLC

## UNIT X48

## Tract Identifications

1. Southern Region Industrial Realty Corporation, Tr. 1 (4430 Acre Tract) – All Coal Except P-3 Seam  
Reserve Coal Properties Company – Coal in P-3 Seam  
CNX Gas Company LLC – Coal Owner's claim to CBM in P-3 Seam  
White Wolf Energy, Inc. – All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams  
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased  
Penn Virginia Oil and Gas Corporation – Oil, Gas and CBM except CBM in P-3 Seam  
CNX Gas Company LLC – CBM - Deemed Leased via JOA  
Southern Region Industrial Realty Corporation – Surface  
Appalachian Forests A., LLC - Timber  
(Tax Map 105 Parcel 30)  
28.34 acres 35.4250%
- 2A. James W. Harman, Jr., et al (Harman-Huffman 1,097.14 Acre Tract) – Coal in P-3 Seam  
Reserve Coal Properties Company – Coal in P-3 Seam Leased  
CNX Gas Company LLC – CBM in P-3 Seam Leased  
Reserve Coal Properties Company (Harman-Huffman 1,097.14 Acre Tract) – All Coal except P-3 Seam  
Norton Coal Company, LLC – Coal Below Tiller Leased  
Ralph D. Webb – Surface, Oil and Gas  
(Tax Map 46A Parcel 16)  
40.23 acres 50.2875%
- 2B. James W. Harman, Jr., et al (Harman-Huffman 1,097.14 Acre Tract) – Coal in P-3 Seam  
Reserve Coal Properties Company – Coal in P-3 Seam Leased  
CNX Gas Company LLC – CBM in P-3 Seam Leased  
Reserve Coal Properties Company (Harman-Huffman 1,097.14 Acre Tract) – All Coal except P-3 Seam  
Norton Coal Company, LLC – Coal Below Tiller Leased  
CNX Gas Company LLC – Oil and Gas  
Reserve Coal Properties Company – Surface  
(Tax Map 86A Parcel 3)  
0.12 acres 0.1500%
- 3A. Southern Region Industrial Realty Corporation, Tr. 8 (338.43 Acre Tract) – All Coal except P-3 Seam  
Reserve Coal Properties Company – Coal in P-3 Seam  
White Wolf Energy, Inc. – All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams  
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased  
Penn Virginia Oil and Gas Company – Coal Owner's claim to CBM except CBM in P-3 Seam  
CNX Gas Company LLC – CBM - Deemed Leased via JOA  
CNX Gas Company LLC – CBM in P-3 Seam  
Delmer Perkins, et ux – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 46A Parcel 11)  
11.12 acres 13.9000%
- 3B. Southern Region Industrial Realty Corporation, Tr. 8 (338.43 Acre Tract) – All Coal except P-3 Seam  
Reserve Coal Properties Company – Coal in P-3 Seam  
White Wolf Energy, Inc. – All Coal Leased except P-3, Raven, Tiller and Lower Seaboard Seams  
Massey Energy – Coal in Raven, Tiller and Lower Seaboard Seams Leased  
Penn Virginia Oil and Gas Company – Coal Owner's claim to CBM except CBM in P-3 Seam  
CNX Gas Company LLC – CBM - Deemed Leased via JOA  
CNX Gas Company LLC – CBM in P-3 Seam  
Donald R. Joyce, et al – Surface, Oil and Gas  
(Tax Map 46A Parcel 15)  
0.19 acres 0.2375%

*this title block is for general informational purposes only and does not reflect an analysis of the severance deed  
id its effect upon coalbed methane ownership and should not be relied upon for such purpose.)*



Exhibit B-3

Unit X-48

Docket #VGOB 12-0515-3063

List of all Unleased Owners/Claimants

(80.00 Acre Unit)

	Acres in Unit	Percent of Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<u>Tract #2A - 40.23 acres</u>		
(1) Ralph D. Webb Heirs, Devisees, Successors or Assigns 855 Stone Road Jewell Ridge, VA 24622 (Documentation pending)	40.23 acres	50.2875%
<u>Tract #3B - 0.19 acres</u>		
(1) Donald R. Joyce, et al.**	0.19 acres	0.2375%
(a) Donald Ray Joyce 780 Stone Road Jewell Ridge, VA 24622	0.063 acres 1/3 of 0.19 acres	0.0792%
(b) Emory Dean Joyce 782 Stone Road Jewell Ridge, VA 24622	0.063 acres 1/3 of 0.19 acres	0.0792%
(c) Teresa Lynn Joyce 780 Stone Road Jewell Ridge, VA 24622	0.063 acres 1/3 of 0.19 acres	0.0792%
** Subject to the Life Estates of Ray Dennis Joyce & Betty Smith Joyce		
<b><u>TOTAL OIL &amp; GAS ESTATE:</u></b>		
Acres in Unit Unleased	40.42	
Percentage of Unit Unleased		50.5250%



Exhibit E  
Unit X-48  
Docket #VGOB 12-0515-3063  
List of Conflicting Owners/Claimants that require Escrow  
(80.00 Acre Unit)

BK 2013 PG 12742

	Acres in Unit	Percent of Unit
<u>Tract #2A - 40.23 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) James W. Harman, Jr., et al. <i>{Coal in the P-3 Seam Only}</i> <i>(Harman-Huffman 1,097.14 Acre Tract)</i>	40.23 acres	50.2875%
(a) James W. Harman Jr. Heirs, Devisees, Successors or Assigns (1/7) <i>NOTE: The interest of James W. Harman Jr. was devised equally to James W. Harman, III (1/14) and Jonathan H. Harman (1/14).</i>		
(b) Evelyn H. Harman Heirs, Devisees, Successors or Assigns (1/7) <i>NOTE: The interest of Evelyn H. Harman was devised equally to James W. Harman, III (1/14) and Jonathan H. Harman (1/14).</i>		
(c) James W. Harman, III <i>(includes the interest from (a) &amp; (b) above)</i> 1206 Medley Valley Rd. Tazewell, VA 24651	11.4943 acres 2/7 of 40.23 acres	14.3679%
(d) Jonathan H. Harman <i>(includes the interest from (a) &amp; (b) above)</i> 2727 Mountain View Avenue Bluefield, WV 24701	11.4943 acres 2/7 of 40.23 acres	14.3679%
(e) S. Laird Harman Heirs, Devisees, Successors or Assigns (1/7)		
(e.1) Estate of Samuel Laird Harman P.O. Box 738 Riner, VA 24149	5.7471 acres 1/7 of 40.23 acres	7.1839%
(f) Bettie H. St Clair 104 Dial Rock Road North Tazewell, VA 24630	5.7471 acres 1/7 of 40.23 acres	7.1839%
(g) Estate of Minnie E. Harman, Inc. P. O. Box 631 Tazewell, VA 24651	5.7471 acres 1/7 of 40.23 acres	7.1839%
(2) Reserve Coal Properties Company <i>{All Coal except the P-3 Seam}</i> 10545 Riverside Dr. Oakwood, VA 24631	40.23 acres	50.2875%

OIL & GAS OWNERSHIP

(1) Ralph D. Webb 855 Stone Road Jewell Ridge, VA 24622 DECEASED (VGOB Hearing 5-15-12) <i>Documentation pending on heirs</i>	40.23 acres	50.2875%
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Tract #3B, 0.19 acres

COAL OWNERSHIP

(1) Southern Region Industrial Realty Corp. <i>{Coal except P-3 Seam}</i> <i>Tr. 8 (338.43 acre tract)</i> Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.19 acres	0.2375%
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Docket #VGOB 12-0515-3063  
List of Conflicting Owners/Claimants that require Escrow  
(80.00 Acre Unit)

	Acres in Unit	Percent of Unit
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CBM Royalty Owner (from the Coal Owner Only):

Penn Virginia Oil & Gas Corporation \*  
P. O. Box 102904  
Atlanta, GA 30368-2904

White Wolf Energy, Inc. \*  
300 Corporate Centre Drive  
Scott Depot, WV 25660  
(previously Anker Virginia Mining Company, Inc.)

\* According to the agreement between the parties named above, they will divide the CBM royalties 50/50 if no conflict.

OIL & GAS OWNERSHIP

(1) Donald R. Joyce, et al.**	0.19 acres	0.2375%
(a) Donald Ray Joyce (phone: 276-345-1789) 780 Stone Road Jewell Ridge, VA 24622	0.063 acres 1/3 of 0.19 acres	0.0792%
(b) Emory Dean Joyce 782 Stone Road Jewell Ridge, VA 24622	0.063 acres 1/3 of 0.19 acres	0.0792%
(c) Teresa Lynn Joyce 780 Stone Road Jewell Ridge, VA 24622	0.063 acres 1/3 of 0.19 acres	0.0792%

\*\* Subject to the Life Estates of Ray Dennis Joyce & Betty Smith Joyce

TOTAL CONFLICTS:

Acreage in Unit	40.42
Percentage of Unit	50.5250%

Docket #VGOB 12-0515-3063  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(80.00 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #2B - 0.12 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) James W. Harman, Jr., et al. (Coal in the P-3 Seam Only) (Harman-Huffman 1,097.14 Acre Tract)	0.12 acres	0.1500%
(a) James W. Harman Jr. Heirs, Devisees, Successors or Assigns (1/7) NOTE: The interest of James W. Harman Jr. was devised equally to James W. Harman, III (1/14) and Jonathan H. Harman (1/14).		
(b) Evelyn H. Harman Heirs, Devisees, Successors or Assigns (1/7) NOTE: The interest of Evelyn H. Harman was devised equally to James W. Harman, III (1/14) and Jonathan H. Harman (1/14).		
(c) James W. Harman, III (Includes the interest from (a) & (b) above) 1206 Medley Valley Rd. Tazewell, VA 24651	0.0343 acres 2/7 of 0.12 acres	0.0429%
(d) Jonathan H. Harman (Includes the interest from (a) & (b) above) 2727 Mountain View Avenue Bluefield, WV 24701	0.0343 acres 2/7 of 0.12 acres	0.0429%
(e) S. Laird Harman Heirs, Devisees, Successors or Assigns (1/7)		
(e.1) Estate of Samuel Laird Harman P.O. Box 738 Riner, VA 24149	0.0171 acres 1/7 of 0.12 acres	0.0214%
(f) Bettie H. St Clair 104 Dial Rock Road North Tazewell, VA 24630	0.0171 acres 1/7 of 0.12 acres	0.0214%
(g) Estate of Minnie E. Harman, Inc. P. O. Box 631 Tazewell, VA 24651	0.0171 acres 1/7 of 0.12 acres	0.0214%
(2) Reserve Coal Properties Company (All Coal except the P-3 Seam) 10545 Riverside Dr. Oakwood, VA 24631	0.12 acres	0.1500%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.12 acres	0.1500%

Tract #3A, 11.12 acres

COAL OWNERSHIP

(1) Southern Region Industrial Realty Corp. (Coal except P-3 Seam) Tr. 8 (338.43 acre tract) Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	11.12 acres	13.9000%
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CBM Royalty Owner:

Penn Virginia Oil & Gas Corporation \*  
P. O. Box 102904  
Atlanta, GA 30368-2904



Docket #VGOB 12-0515-3063  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(80.00 Acre Unit)

	Acres in Unit	Percent of Unit
White Wolf Energy, Inc. *		
300 Corporate Centre Drive		
Scott Depot, WV 25660		
(previously Anker Virginia Mining Company, Inc.)		

\* According to the agreement between the parties named above, they will split the CBM royalties 50/50 if no conflict.

OIL & GAS OWNERSHIP

(1) Delmer Perkins, et ux.	11.12 acres	13.9000%
292 Deck Road		
Jewell Ridge, VA 24622		

TOTAL CONFLICTS RESOLVED:

Acreage in Unit	11.24
Percentage of Unit	14.0500%

INSTRUMENT #130002435  
RECORDED IN THE CLERK'S OFFICE OF  
TAYLOR COUNTY ON  
JULY 3, 2013 AT 02:57PM  
James E. Blevins  
JAMES E. BLEVINS, CLERK  
RECORDED BY: ADR